

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

MELVIN GRAYER, #08710

PLAINTIFF

VERSUS

CIVIL ACTION NO. 3:16-cv-709-WHB-LRA

WARDEN JAMES FILLIYAW, et al.

DEFENDANTS

ORDER GRANTING PLAINTIFF'S MOTION [23] TO AMEND COMPLAINT

This cause comes before the Court on Plaintiff's Motion [23] entitled "Motion to Amend[] and Supplemental Pleadings." Plaintiff states that the Defendant Warden Filliyaw's name is "James." Pl.'s Mot. [23] at 1. Plaintiff further provides the dates when he sent certain documents to the Warden, Records Department, Deputy Commissioner, and Superintendent. *Id.* Having reviewed the Motion [23], the Court finds the Motion to Amend concerning the name of Defendant Warden Filliyaw is well taken and that his Motion to Supplement his pleadings concerning the dates certain documents were sent to the Warden, Records, Department, Deputy Commissioner, and Superintendent is well taken. Accordingly, it is

ORDERED that Plaintiff's Motion [23] to Amend is **granted** to the extent Plaintiff is amending his complaint concerning the name of Defendant Filliyaw and is granted to the extent Plaintiff is supplementing his pleadings concerning the dates that certain documents were sent to the Warden, Records Department, Deputy Commissioner, and Superintendent.

IT IS FURTHER ORDERED that the Clerk edit the name of Warden "Unknown" Filliyaw to Warden James Filliyaw.

IT IS FURTHER ORDERED that Plaintiff's Motion [23] is construed as the amended complaint and therefore the filing of a separate amended complaint is not necessary.

SO ORDERED this the 12th day of April, 2017.

s/ Linda R. Anderson
UNITED STATES MAGISTRATE JUDGE